



Attorney Docket No. EIS-5799 (1417G P 570)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James Martucci et al.

Application No.: 10/043,891

Confirmation No.: 6265

Filed On:: January 11, 2002

Examiner: Roz Maiorino

Art Unit: 3763

For: MEDICATION DELIVERY SYSTEM

REPLY TO OFFICE ACTION DATED APRIL 9, 2004

Dear Dr. Maiorino:

This is a Reply to the Office Action mailed April 9, 2004. The original period of response to the Office Action is a shortened statutory period of three (3) months from the mailing date. Accordingly, a Reply to the Office Action is due on or before July 9, 2004, and this Reply is submitted within that time limit. Applicants respectfully request reconsideration and allowance of the pending claims in the present Application in view of the Remarks below.

7/12/04

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For: MEDICATION DELIVERY SYSTEM

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
JUL 15 2004

AMENDMENT TRANSMITTAL

TECHNOLOGY CENTER R3700

Dear Sir:

Transmitted herewith is an Amendment in the above-identified Application. Applicants are other than a small entity. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply. Applicants believe that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any deficiencies in these fees to Deposit Account No. 23-0280. A duplicate copy of this sheet is attached.

No additional fee for the Amendment is required.

					Small Entity			Other Than A Small Entity	
	Claims Remaining After Amendment	Highest Number Previously Paid For	Present Extra		Rate	Additional Fee		Rate	Additional Fee
Total	58 -	64 =	0		x \$ 9=	\$		x \$ 18=	\$0
Independent	4 -	7 =	0		x \$ 43=	\$		x \$ 86=	\$0
<input type="checkbox"/> First Presentation of Multiple Dependent Claims					x \$ 145=	\$		x \$ 290=	\$0
TOTAL ADDITIONAL FEE \$0									

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Application No. 10/043,891

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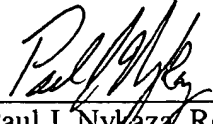
The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-0280.

A duplicate copy of this sheet is attached.

☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra Claims.

Respectfully submitted,

Date: July 9, 2004

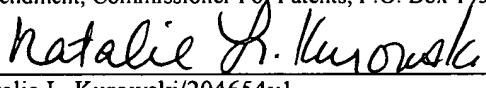

Paul J. Nykaza, Reg. No. 38,984
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Chicago, Illinois 60606-6630
312.554.3300

CERTIFICATE UNDER (37 C.F.R. § 1.10)

Express Mail Label No. EV 443469675 US

Date of Deposit: July 9, 2004

I hereby certify that this paper and/or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, postage prepaid, under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Natalie L. Kurowski/204654v1